



INDIANA STATE BOARD OF EDUCATION

To: Indiana State Board of Education
From: Chad E. Ranney – General Counsel, Indiana State Board of Education
Date: July 8, 2020
RE: Selection of State Board of Education Special Education Advisor

STAFF RECOMMENDATION: Select Mr. Daniel McNulty to act as the State Board of Education’s special education advisor.

The State Board of Education (“Board”) is responsible for (1) ensuring the validity and reliability of Indiana’s statewide assessment program;¹ and (2) overseeing the Indiana Department of Education’s development and implementation of the Indiana’s Learning Evaluation Assessment Readiness Network (“ILEARN”) program.² To ensure the needs of all students are being met, the Indiana General Assembly (“IGA”) amended IC 20-32-5.1-6 during the 2020 legislative session, adding the following language:

Sec. 6. (c) The state board, in consultation with The Arc of Indiana and Indiana Council of Administrators of Special Education (ICASE), shall select one (1) or more individuals who specialize in special education who shall, in turn, be consulted with by the state board as part of the state board’s oversight of the development and implementation of the Indiana’s Learning Evaluation Assessment Readiness Network (ILEARN) program.

Additionally, the IGA amended IC 20-32-5.1-18.5, adding the following language:

Sec. 18.5. (b) The department must submit any guidance or recommendations the department plans to distribute to a school corporation or school that attempts to affect in any manner based on statewide assessment accommodations which instructional methods are included or excluded from a program or plan described in subsection (a) to the state board for approval.

After meeting with The Arc of Indiana and ICASE, Board staff recommends the Board select Mr. Daniel McNulty to act as the Board’s special education advisor. In addition to consulting with the Board for the purposes outlined in IC 20-32-5.1-6(c), Mr. McNulty will be responsible for reviewing the guidance described in IC 20-32-5.1-18.5(b) before it is presented to the Board for approval.

¹ IC 20-19-2-14(6).

² IC 20-32-5.1-6(a)(1).